

the number of those individuals in all such States, as so determined; and

(i) from the amount allotted under paragraph (1)(B)—

(I) first reserve, for each State, an amount equal to the sum of the qualifying contributions made in the State in the previous year attributable to eligible workforce training organizations; and

(II) next, allocate the remaining amount among the participating States by allocating to each State an amount determined through a system, as established and maintained by the Secretary of Labor, that accurately reflects demand and potential qualified participants for apprenticeships and workforce training within that State.

(B) MINIMUM ALLOCATION.—Notwithstanding subparagraph (A), no State receiving an allotment under this section may receive less than one-half of one percent of the amount allotted for a fiscal year.

(C) ALTERNATIVE ALLOCATION FOR QUALIFIED CONTRIBUTIONS TO ELIGIBLE SCHOLARSHIP-GRANTING ORGANIZATIONS.—

(i) IN GENERAL.—Not later than the end of the fifth year of the program or one year after the end of the first fiscal year for which the total amount of credits claimed under section 25E and section 45U of the Internal Revenue Code of 1986 for qualified contributions to eligible scholarship-granting organizations is \$2,500,000,000 or more, whichever comes first, the Secretary of Education shall, by regulation, provide for an alternative allocation method for the amount described in paragraph (1)(A) that shall take effect beginning with the first fiscal year after the regulation takes effect.

(ii) ALTERNATIVE ALLOCATION METHOD.—The alternative allocation method described in clause (i) shall be expressed as a formula based on a combination of the following data for each State, as reported by the State to the Secretary of Education:

(I) The relative percentage of students in the State who receive a elementary or secondary scholarship through a State program that is financed through State tax-credited donations or appropriations and that permits the elementary or secondary scholarship to be used to attend a private school.

(II) The total amount of all elementary and secondary scholarships awarded through a State program that is financed through State tax-credited donations or appropriations compared to the total amount of current State and local expenditures for free public education in the State.

(iii) ALLOCATION FORMULA.—For any fiscal year to which clause (i) applies, the Secretary of Education shall—

(I) first reserve, for each State, an amount equal to the sum of the qualifying contributions made in the State in the previous year;

(II) next, allocate two-thirds of the remaining amount of the national cap for that year using the alternative allocation method in clause (ii); and

(III) then, allocate one-third of the remaining amount in accordance with subparagraph (A)(ii).

(iv) INELIGIBILITY.—For any fiscal year to which clause (i) applies, a State that does not provide the Secretary of Education with information described in clause (ii) is not eligible to receive an allocation through the alternative allocation method under clause (ii).

(3) ALLOWABLE PARTNERSHIPS.—A State may choose to administer the allocation it receives under paragraph (2) in partnership with one or more States, provided that the eligible scholarship-granting organizations or eligible workforce training organizations in each partner State serve students who reside in all States in the partnership.

(4) TOTAL ALLOCATION.—A State's allocation, for any fiscal year, is the sum of the amount determined for it under subparagraphs (A) and (B) of paragraph (2), except as provided in paragraph (2)(C).

(5) ALLOCATION AND ADJUSTMENTS.—

(A) INITIAL ALLOCATION TO STATES.—No later than November 1 of the year preceding a year for which there is a national cap on credits under paragraph (1) (hereafter in this section, the "applicable year"), or as early as practicable with respect to the first year, the Secretary of Education shall announce the State allocations under paragraph (2) for the applicable year.

(B) LIST OF ELIGIBLE SCHOLARSHIP-GRANTING ORGANIZATIONS AND ELIGIBLE WORKFORCE TRAINING ORGANIZATIONS.—No later than January 1 of each applicable year, or as early as practicable with respect to the first year, each State shall provide the Secretary of Education a list of eligible scholarship-granting organizations and eligible workforce training organizations described in paragraphs (3)(A) and (4) of section 25E(c) of the Internal Revenue Code of 1986, including a certification that the entity submitting the list on behalf of the State has the authority to perform this function. Neither this title nor any other Federal law shall be construed as limiting the entities that may submit the list on behalf of a state.

(C) REALLOCATION.—

(i) IN GENERAL.—The Secretary of Education shall, in accordance with paragraph (2), reallocate to any other States the allocation of a State which, for any applicable year—

(I) fails to provide the Secretary of Education a list of eligible scholarship-granting organizations and eligible workforce training organizations pursuant to subparagraph (B); and

(II) does not have an eligible scholarship-granting organization (as described in section 25E(c)(3)(B) of the Internal Revenue Code of 1986) located in such State.

(ii) UNCLAIMED CREDITS.—On or after April 1 of any applicable year, the Secretary of Education may reallocate, to one or more other States that have eligible scholarship-granting organizations and eligible workforce training organizations in the States, without regard to paragraph (2), the allocation of a State for which the State's allocation has not been claimed.

(d) DEFINITIONS.—The definitions of terms in section 25E(c) of the Internal Revenue Code of 1986 apply to those terms as used in this title.

(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of administering this section and sections 25E and 45U of the Internal Revenue Code of 1986, there are authorized to be appropriated, and there are appropriated, such sums as may be necessary for fiscal year 2021 and each succeeding fiscal year.

SA 1864. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 1022, beginning on line 19, strike "approved" and all that follows through line 22 and insert the following: "that the Sec-

retary determines will have an important effect on the foreign relations of the United States and were approved for negotiation by the Secretary in writing during the prior month."

SA 1865. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1022, strike line 18 and all that follows through page 1023, line 2.

On page 1023, line 3, strike "(B)" and insert "(A)".

On page 1023, line 21, strike "(C)" and insert "(B)".

Beginning on page 1024, strike line 19 and all that follows through page 1026, line 11.

On page 1025, line 4, strike "(4)" and insert "(3)".

On page 1026, beginning on line 16, strike "subparagraphs" and all that follows through line 17 and insert the following: "subparagraph (A)(iii) and clauses (iii) and (iv) of subparagraph (B) of subsection (a)(1)".

On page 1027, beginning on line 2, strike "subparagraphs" and all that follows through line 4 and insert the following: "subparagraph (A)(iii) and clauses (iii) and (iv) of subparagraph (B) of subsection (a)(1) shall not be subject to the requirement".

SA 1866. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SECTION 2528. ADMISSION OF ESSENTIAL SCIENTISTS AND TECHNICAL EXPERTS TO PROMOTE AND PROTECT NATIONAL SECURITY INNOVATION BASE.

(a) SHORT TITLE.—This section may be cited as the "National Security Innovation Pathways Act of 2021".

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Armed Services of the House of Representatives; and

(D) the Committee on the Judiciary of the House of Representatives.

(2) NATIONAL SECURITY INNOVATION BASE.—The term "National Security Innovation Base" means the network of persons and organizations, including Federal agencies, institutions of higher education, federally

funded research and development centers, defense industrial base entities, nonprofit organizations, commercial entities, and venture capital firms that are engaged in the military and non-military research, development, funding, and production of innovative technologies that support the national security of the United States.

(C) ADMISSION OF ESSENTIAL SCIENTISTS AND TECHNICAL EXPERTS TO PROMOTE AND PROTECT NATIONAL SECURITY INNOVATION BASE.—

(1) SPECIAL IMMIGRANT STATUS.—In accordance with the procedures established under paragraph (6)(A), and subject to the numerical limitations under paragraph (3)(A), the Secretary of Homeland Security may provide an alien described in paragraph (2) (and the spouse and children of the alien if accompanying or following to join the alien) with the status of a special immigrant under section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) if the alien—

(A) submits a classification petition under section 204(a)(1)(G)(i) of such Act (8 U.S.C. 1154(a)(1)(G)(i)); and

(B) is otherwise eligible to receive an immigrant visa and is otherwise admissible to the United States for permanent residence.

(2) ALIENS DESCRIBED.—An alien is described in this paragraph if—

(A) the alien—

(i) is employed by a United States employer and engaged in work to promote and protect the National Security Innovation Base;

(ii) is engaged in basic or applied research, funded by the Department of Defense, through a United States institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

(iii) possesses scientific or technical expertise that will advance the development of critical technologies identified in the National Defense Strategy or the National Defense Science and Technology Strategy, required by section 218 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1679); and

(B) the Secretary of Defense issues a written statement to the Secretary of Homeland Security confirming that the admission of the alien is essential to advancing the research, development, testing, or evaluation of critical technologies described in subparagraph (A)(iii) or otherwise serves national security interests.

(3) NUMERICAL LIMITATIONS.—

(A) IN GENERAL.—The total number of aliens described in paragraph (2) who may be provided special immigrant status under this subsection may not exceed—

(i) 100 in fiscal year 2022;

(ii) 200 in fiscal year 2023;

(iii) 300 in fiscal year 2024;

(iv) 400 in fiscal year 2025; and

(v) 500 in fiscal year 2026 and in each fiscal year thereafter.

(B) EXCLUSION FROM NUMERICAL LIMITATION.—Aliens provided special immigrant status under this subsection shall not be counted against the numerical limitations under sections 201(d), 202(a), and 203(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1151(d), 1152(a), and 1153(b)(4)).

(4) DEFENSE COMPETITION FOR SCIENTISTS AND TECHNICAL EXPERTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and implement a process to select, on a competitive basis from among individuals described in paragraph (2), individuals for recommendation to the Secretary of Homeland Security for special immigrant status under paragraph (1).

(5) AUTHORITIES.—In carrying out this subsection, the Secretary of Defense shall authorize appropriate personnel of the Department of Defense to use all personnel and management authorities available to the Department, including—

(A) the personnel and management authorities provided to the science and technology reinvention laboratories;

(B) the Major Range and Test Facility Base (as defined in 196(i) of title 10, United States Code); and

(C) the Defense Advanced Research Projects Agency.

(6) PROCEDURES.—Not later than 360 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Defense shall jointly establish policies and procedures implementing this subsection, which shall include procedures for—

(A) processing petitions for classification submitted under paragraph (1)(A) and applications for an immigrant visa or adjustment of status, as applicable; and

(B) the thorough processing of any required security clearances.

(7) FEES.—The Secretary of Homeland Security shall establish a fee that—

(A) will be charged and collected for processing each application filed under this subsection; and

(B) is set at a level that will ensure recovery of the full costs of such processing and any additional costs associated with the administration of the fees collected.

(d) REPORTING REQUIREMENTS.—

(1) IMPLEMENTATION REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Defense shall jointly submit a report to the appropriate congressional committees that—

(A) includes a plan for implementing the authorities provided under this section; and

(B) identifies any additional authorities that may be required to assist the Secretary of Homeland Security and the Secretary of Defense to fully implement this section.

(2) PROGRAM EVALUATION AND REPORT.—

(A) EVALUATION.—The Comptroller General of the United States shall conduct an evaluation of the competitive program and special immigrant program described in subsection (c).

(B) REPORT.—Not later than October 1, 2025, the Comptroller General shall submit a report to the appropriate congressional committees that describes the results of the evaluation conducted pursuant to subparagraph (A).

SA 1867. Mr. WHITEHOUSE (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —BOLSTERING LONG-TERM UNDERSTANDING AND EXPLORATION OF THE GREAT LAKES, OCEANS, BAYS, AND ESTUARIES

SEC. .01. SHORT TITLE.

This title may be cited as the “Bolstering Long-term Understanding and Exploration of

the Great Lakes, Oceans, Bays, and Estuaries Act” or the “BLUE GLOBE Act”.

SEC. .02. PURPOSE.

The purpose of this title is to promote and support—

(1) the monitoring, understanding, and exploration of the Great Lakes, oceans, bays, estuaries, and coasts; and

(2) the collection, analysis, synthesis, and sharing of data related to the Great Lakes, oceans, bays, estuaries, and coasts to facilitate science and operational decision making.

SEC. .03. SENSE OF CONGRESS.

It is the sense of Congress that Federal agencies should optimize data collection, management, and dissemination, to the extent practicable, to maximize their impact for research, conservation, commercial, regulatory, and educational benefits and to foster innovation, scientific discoveries, the development of commercial products, and the development of sound policy with respect to the Great Lakes, oceans, bays, estuaries, and coasts.

SEC. .04. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term “Administrator” means the Under Secretary of Commerce for Oceans and Atmosphere in the Under Secretary’s capacity as Administrator of the National Oceanic and Atmospheric Administration.

(2) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

SEC. .05. WORKFORCE STUDY.

(a) IN GENERAL.—Section 303(a) of the America COMPETES Reauthorization Act of 2010 (33 U.S.C. 893c(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “Secretary of Commerce” and inserting “Under Secretary of Commerce for Oceans and Atmosphere”;

(2) in paragraph (2), by inserting “, skillsets, or credentials” after “degrees”;

(3) in paragraph (3), by inserting “or highly qualified technical professionals and tradespeople” after “atmospheric scientists”;

(4) in paragraph (4), by inserting “, skillsets, or credentials” after “degrees”;

(5) in paragraph (5)—

(A) by striking “scientist”; and

(B) by striking “; and” and inserting “, observations, and monitoring”;

(6) in paragraph (6), by striking “into Federal” and all that follows and inserting “, technical professionals, and tradespeople into Federal career positions”;

(7) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(8) by inserting after paragraph (1) the following:

“(2) whether there is a shortage in the number of individuals with technical or trade-based skillsets or credentials suited to a career in oceanic and atmospheric data collection, processing, satellite production, or satellite operations;”;

(9) by adding at the end the following:

“(8) workforce diversity and actions the Federal Government can take to increase diversity in the scientific workforce; and

“(9) actions the Federal Government can take to shorten the hiring backlog for such workforce.”.

(b) COORDINATION.—Section 303(b) of such Act (33 U.S.C. 893c(b)) is amended by striking “Secretary of Commerce” and inserting “Under Secretary of Commerce for Oceans and Atmosphere”.

(c) REPORT.—Section 303(c) of such Act (33 U.S.C. 893c(c)) is amended—